

VZCZCXRO2802
RR RUEHIK
DE RUEHMD #1206 3561249
ZNR UUUUU ZZH
R 221249Z DEC 09
FM AMEMBASSY MADRID
TO RUEHC/SECSTATE WASHDC 1588
INFO RUCNMEM/EU MEMBER STATES COLLECTIVE
RUEHLA/AMCONSUL BARCELONA 4273
RUCPDOG/DEPT OF COMMERCE WASHDC

UNCLAS MADRID 001206

SIPDIS

STATE FOR EUR/WE AND EEB/TPP/IPE
STATE PASS USTR FOR D.WEINER AND J.GROVES
STATE ALSO PASS U.S. COPYRIGHT OFFICE FOR M.PALLANTE AND
M.WOODS
COMMERCE FOR 4212/DON CALVERT
COMMERCE ALSO FOR PTO

E.O. 12958: N/A

TAGS: [KIPR](#) [SP](#)

SUBJECT: GOS CONTINUES IPR ENFORCEMENT ACTIONS

REF: MADRID 1161

1.(U) Although the fate of the GOS proposal to empower administrative authorities to close websites that promote unauthorized file-sharing remains uncertain (reftel), the GOS continues to take actions to enforce existing IPR laws. As of mid-December, the National Police had detained 107 people for IPR crimes during 2009, as well as confiscating around 1.2 million pirated CDs and DVDs, 765 recorders, and 67 recording towers. About 80% of the individuals detained were accused of copying and/or selling unauthorized material physically, not online. Most Internet-related detentions were related to one of two areas: websites that facilitated downloading of unauthorized material, and sellers of "informatic equipment" on which they had installed illicitly downloaded software. In one instance, police detained two people and dismantled 8 servers containing 30,000 movie, television, and musical works for peer-to-peer file sharing. Over 500 members of the group's "video club" had paid 20 euros per month for access.

2.(U) Separately, a 19-year-old arrested December 2 in the city of Valladolid may become the first Spaniard convicted of an online IPR crime. The young man, reported to have been well-known on movie filesharing pages, was arrested as the result of a complaint by the audiovisual producers, rights management association (EGEDA) that led to a months-long investigation by the Castilla y Leon police force's Technological Investigation Group. He is alleged to have placed first-run Spanish movies on storage and sharing sites and received around 1,500 dollars over four months in return for the downloads. The young man, who has gone on sites to urge his peers to think twice before uploading unauthorized material, faces a sentence of 6 months to 4 years and a possible fine.

3.(U) In addition, the national police detained earlier this month four people who filmed movies clandestinely in the city of Alicante and later distributed them online. Police sources estimated that the hundred of films distributed by the group had cost the works' owners some five million euros. A press article cites them as saying this could be the largest operation against movie piracy in Europe to date.
CHACON